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ON PAGE **H-3.**

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Control government snooping

In today's Sunday Forum, Delaware's junior senator, Democrat Joseph R. Biden Jr., discusses proposals to ease current restrictions on domestic intelligence surveillance by the Central Intelligence Agency and the Federal Bureau of Investigation.

Sen. Joseph R. Biden Jr.

EVER SINCE I joined the Senate Intelligence Committee in 1976, I have been hearing arguments that the CIA and other intelligence agencies can't function because of restrictions that have been put on them. The blame for this situation is most frequently placed on Congress.

These arguments are patently false.

The restrictions commonly complained about, those dealing with covert intelligence collection, were enacted by the last two presidents, Ford and Carter, through the issuance of executive orders. These restrictions were largely based on the recommendations of a special commission, known as the Rockefeller Commission, which President Ford appointed to seek ways to correct the abuses of power which the CIA and similar agencies had committed under Watergate and in previous years.

Those abuses were wrong. When they were uncovered, everyone agreed they were wrong.

The CIA had no business spying on innocent Americans who had done nothing more than speak out against an administration's policies in Vietnam. The FBI had no business trying to smear the reputations of individuals who had honest disagreements with an administration's policies.

There is no reason why our intelligence agencies should be involved in activities of this kind. These activities did nothing to strengthen our national security — in fact, they undermined it by attacking the basic rights and freedoms of our society and by diverting the agencies' attention from serious national security threats.

For these reasons, our intelligence agencies and our nation as a whole have been strengthened, not weakened, by the executive orders Presidents Ford and Carter issued.

The orders properly focus the attention of the CIA and our other foreign intelligence

agencies where it belongs — on American security interests abroad. The orders also place responsibility for internal security threats where it belongs — with the FBI. And the orders help ensure that the rights of innocent American citizens will be protected from unwarranted actions by any of these agencies.

These are all steps that needed to be taken.

In spite of these facts, however, the arguments that our intelligence agencies aren't being allowed to do their jobs continue.

And so it is not surprising that, with a new administration now in power, efforts would be mounted to undo the recent reforms.

The first of these efforts surfaced several weeks ago, when it was reported that proposals were being circulated within the administration to relax the presidential restrictions on intelligence agency activities.

These proposals would (1) let the CIA become involved again in domestic spying; (2) downgrade the authority of the attorney general to oversee enforcement of the presidential orders and to make sure intelligence agencies are complying with the law; (3) reduce the agencies' responsibility to report evidence of criminal wrongdoing to the Justice Department, and (4) virtually remove restrictions designed to protect the privacy of innocent citizens.

If current restrictions were lifted, we would largely be back where we were. If your son or daughter participated in a campus demonstration to protest, say, U.S. policy in El Salvador, the CIA could start a file on him or her. If you spoke out forcefully against some government policy, a file could be begun and your mail opened — all without your knowledge. Rumors could be circulated in the community against you. Farfetched? No. These things happened before, to ordinary law-abiding families like yours.

Fortunately, it now appears that the enthusiasm for these proposals is not shared by President Reagan and other key officials in his administration.

White House counselor Edwin Meese has stated that the president is "absolutely opposed to the CIA getting into domestic spying." Attorney General William French Smith has said that "there is no question the attorney general is going to play an important role" (in making sure intelligence agencies comply with the law). Deputy CIA Director Bobby Inman has indicated that

the proposed revisions will not be adopted in their present form.

These statements are reassuring. I particularly welcome the president's opposition to the first of the four proposals. But the issue is by no means finally settled, and there is still reason to be concerned and watchful.